



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 2  
290 BROADWAY  
NEW YORK, NY 10007-1866

JUL 10 2019

**CERTIFIED MAIL RETURN RECEIPT**

**Article Number: 7018 0680 0001 1668 4536**

Lisette Camilo, Commissioner  
New York City Department of Citywide  
Administrative Services, 17<sup>th</sup> Floor  
One Centre Street  
New York, NY 10007

Re: **Request for Information**  
**Docket No. CWA-IR-19-019**  
**Property Tax Map Section/Block 1780, Lot 112 and 95**  
**Chelsea Road (between Edward Curry Ave. and Bloomfield Ave.) Staten Island, NY**

Dear Ms. Camilo:

The purpose of this Request for Information ("RFI") letter is to require you to submit information to the U.S. Environmental Protection Agency ("EPA") regarding the subject site located off of Chelsea Road between Edward Curry Ave. and Bloomfield Ave. in Staten Island, New York.

EPA conducted an inspection of the Faztec Industries site in December 2018 and also noted that there was an adjacent site that is owned by the NYC Department of Citywide Administrative Services ("DCAS") that is currently operated by DiFazio/Faztec ("Site"). This DCAS property has undergone increased amount of clearing/disturbance that appears to have exceeded over one acre over the past decade. (See Attached aerial imagery documentation).

Construction activities that disturb one or more acres, or that are part of a common plan of development that is one acre or greater require coverage under the New York State Department of Environmental Conservation ("NYSDEC") General Permit for Stormwater Discharges from Construction Activity (GP-0-15-002 or previous permits) ("Construction General Permit," "CGP" or "Permit"). Appendix A of the CGP defines construction activities as any clearing, grading, excavation, filling, demolition or stockpiling activities that result in soil disturbance. Clearing activities can include, but are not limited to, logging equipment operation, the cutting and skidding of trees, stump removal and/or brush root removal. See the following NYSDEC website for additional information: <https://www.dec.ny.gov/chemical/43133.html>.

Section 308(a) of the Clean Water Act ("CWA"), 33 U.S.C. §1318(a), provides that whenever it is necessary to carry out the objectives of the CWA, including determining whether or not a person/agency is in violation of Section 301 of the CWA, 33 U.S.C. §1311, the EPA shall require the submission of any information reasonably necessary to make such a determination. Under the authority of Section 308 of the Clean Water Act, EPA may require the submission of information necessary to assess the compliance status of any facility and its related appurtenances.

Internet Address (URL) ☐ <http://www.epa.gov>

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## **REQUEST FOR INFORMATION**

DCAS is hereby required, pursuant to Section 308(a) of the Clean Water Act, 33 U.S.C. §1318(a), to submit the following documents and/or requested information regarding the subject construction site:

1. Within **thirty (30) calendar days of receipt of this RFI** submit the following:
  - a. the total acreage of the subject site and the total disturbed acreage (where construction activities have been conducted or will be conducted at this site);
  - b. the name, address and contact information for all owners and/or operators of the subject construction site;
  - c. copies of agreements (e.g. lease, easement) between DCAS and the site operator(s) (DiFazio, Faztec, etc.);
  - d. the start date of construction activities at this site;
  - e. the expected construction end date;
  - f. the final planned disturbed acreage of the site;
  - g. any applicable Construction General Permit for the site; and
  - h. plans to preserve the Site or transfer the Site to other entities.

## **CERTIFICATION**

Any documents to be submitted by DCAS as part of this RFI shall be signed by an authorized representative of the respective entity (see 40 C.F.R. §122.22), and shall include the following certification:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

All information required to be submitted pursuant to this RFI shall be sent by certified mail or its equivalent to the following address:

Justine Modigliani, P.E., Chief  
Clean Water Act Compliance Section  
Water Compliance Branch  
Enforcement and Compliance Assurance Division  
290 Broadway, 21st Floor  
New York, NY 10007

Should you have any questions regarding this request, feel free to have your staff contact Justine Modigliani, P.E., Chief, Clean Water Act Compliance Section at (212) 637-4268.

Sincerely,



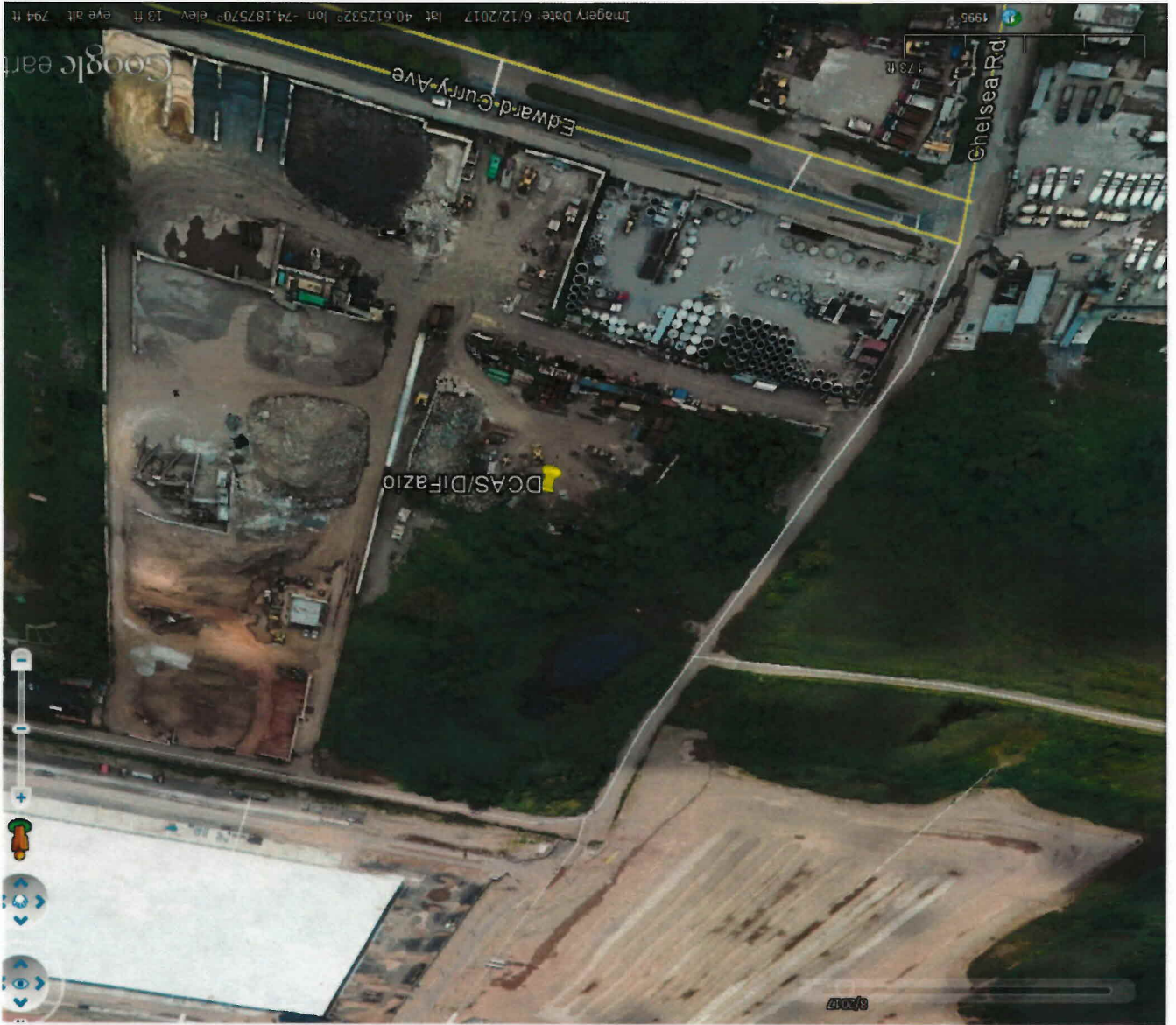
Douglas McKenna, Chief  
Water Compliance Branch  
Enforcement and Compliance Assurance Division

Enclosures

cc: Ed Hampston, P.E., Director, Bureau of Water Compliance Programs, NYSDEC  
Dilip K. Banerjee (NYSDEC Region 2) via email  
Sam Yee Chan, (NYSDEC Region 2) via email

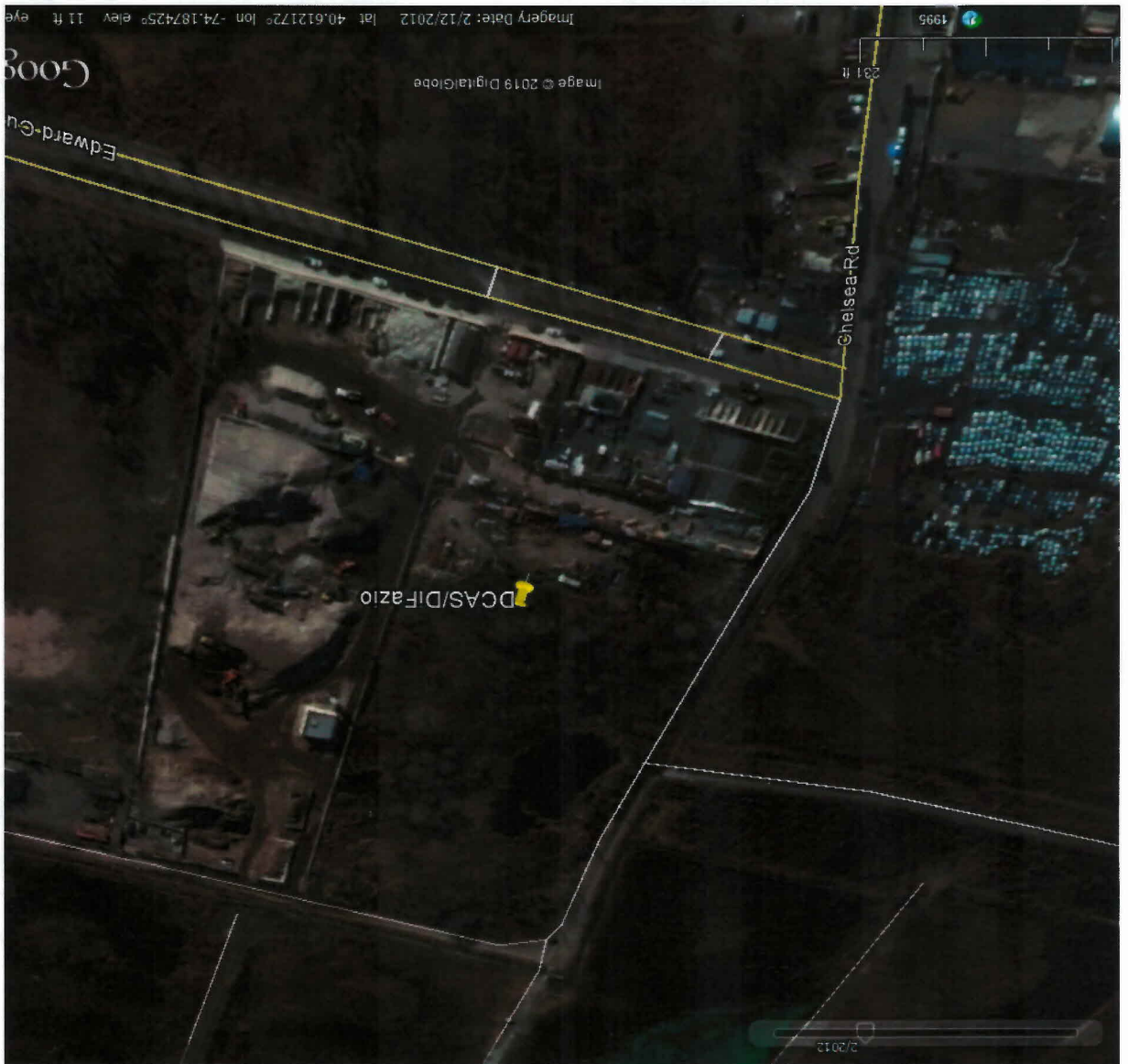


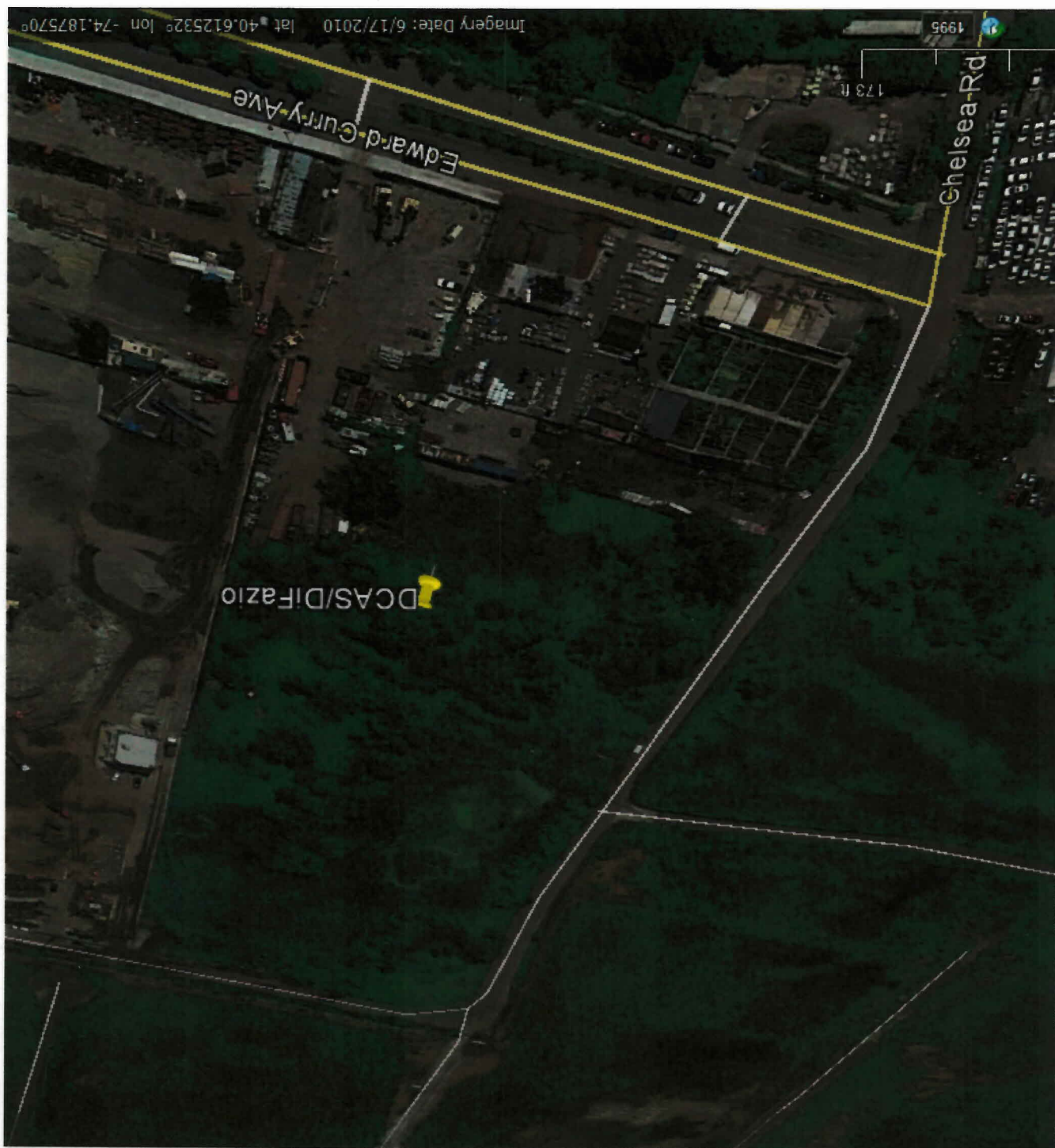




ATTACHMENT - GOOGLE EARTH IMAGERY  
6/12/2017

Google Earth Imagery – February 12, 2012

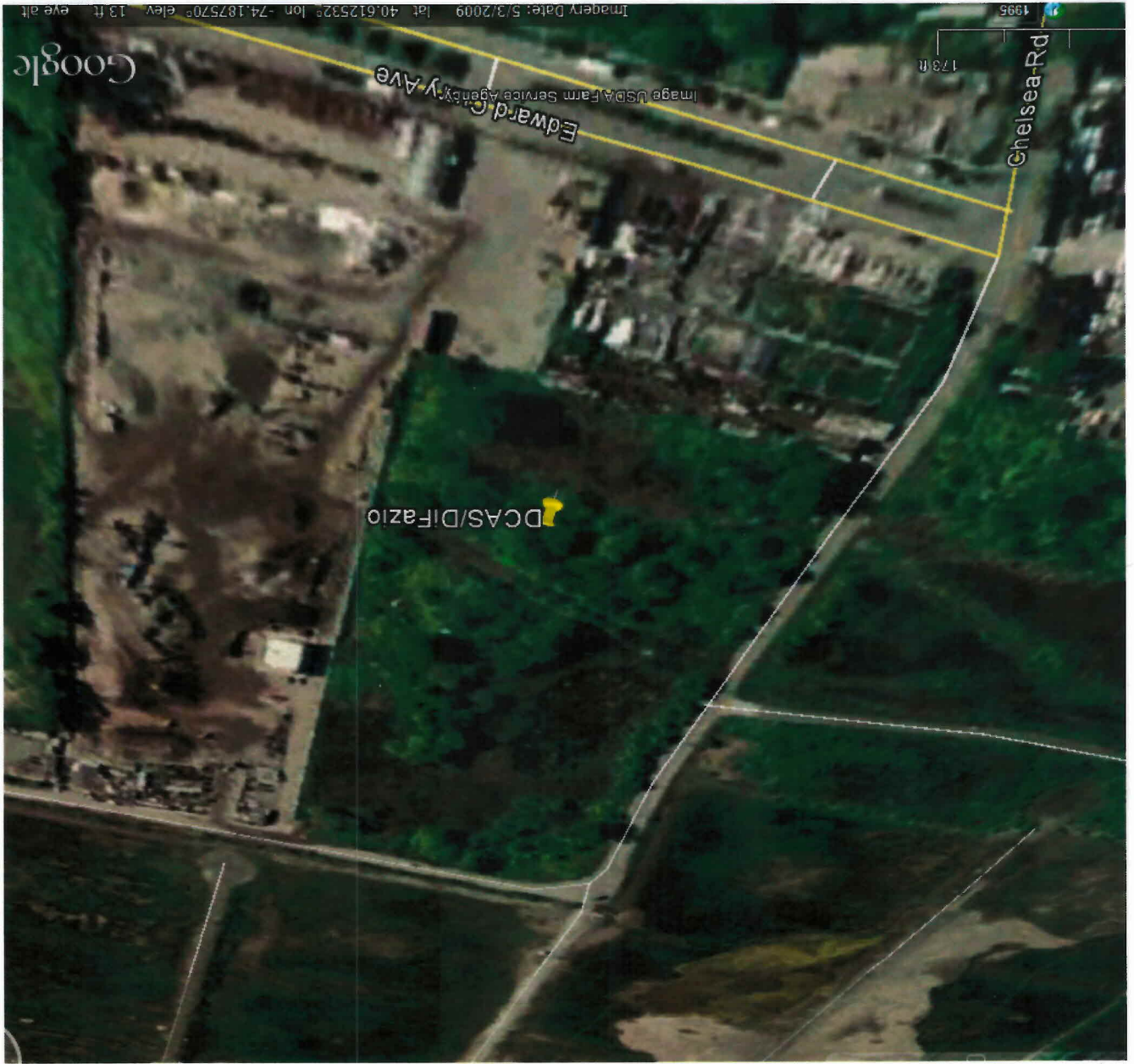




Google Earth Imagery 6/17/2010

Imagery Date: 6/17/2010 lat 40.612532° lon -74.187570°





Google Earth Imagery – May 3, 2009